

**Below is the Order of the Court.**



A handwritten signature in black ink that reads "Karen A. Overstreet".

Karen A. Overstreet  
U.S. Bankruptcy Judge  
(Dated as of Entered on Docket date above)

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Honorable Judge Karen A. Overstreet  
Chapter 11  
Hearing Location: Seattle  
Hearing Date: August 23, 2013  
Hearing Time: 9:30 a.m.  
Response Date: August 16, 2013

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE:

HARRY R YOURIST AND  
ROSALIE H YOURIST

Debtors.

**CHAPTER 11 BANKRUPTCY**

**NO.: 13-13512-KAO**

**STIPULATED ORDER CONDITIONING STAY  
AS TO U.S. BANK TRUST, N.A., AS TRUSTEE  
FOR VOLT ASSET HOLDINGS NPL3, BY  
CALIBER HOME LOANS, INC., F/K/A  
VERICREST FINANCIAL, INC., AS ITS  
ATTORNEY IN FACT**

THIS MATTER came before the Court for hearing on U.S. Bank Trust, N.A., as Trustee for VOLT Asset Holdings NPL3, by Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc., as its attorney in fact's ("Creditor") motion for relief from stay. The Court having reviewed the files and records and finding that the parties, the Creditor, through its attorney James K. Miersma and the

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1 debtors, and Harry R Yourist and Rosalie H Yourist, ("Debtor" collectively hereafter) through their  
2 attorney Michael E Gossler stipulate and agree to entry of this order, NOW THEREFORE, IT IS  
3 HEREBY:

4 ORDERED that the stay existing pursuant to 11 U.S.C. § 362(a) as to the property located at  
5 1027 NW 179th Pl, Shoreline, WA 98177 and legally described in the Deed of Trust attached as an  
6 exhibit to the original motion for relief shall remain in effect as to Creditor subject to the following  
7 conditions:

8 1. The Debtor shall resume monthly mortgage payments due Creditor immediately beginning  
9 with the September 1, 2013 payment and continuing each month thereafter as due.

10 2. The Debtor stipulates to a post-petition arrearage of \$18,853.88. This amount is comprised  
11 of monthly payments of \$4,506.97 for the months of May 2013 through August 2013 and \$826.00 for  
12 attorney's fees and costs.

13 3. The Debtor stipulates to a pre-petition arrearage of \$97,761.16. This amount is comprised  
14 of monthly payments of \$3,491.47 for the months of January 2011 through April 2013.

15 4. To cure the accumulated post-petition arrears, Debtor shall make installment payments of  
16 \$3,142.32 each month for six consecutive months starting September 15, 2013 through and including  
17 February 15, 2013, until the current post-petition arrearage is paid in full.

18 5. To cure the accumulated pre-petition arrears, starting on March 15, 2014 and for fifty-four  
19 months thereafter, Debtor shall make installment payments of \$1,810.40 for fifty-four consecutive  
20 months starting March 15, 2014 through and including September 15, 2018, until the current pre-  
21 petition arrearage is paid in full.

22 IT IS FURTHER ORDERED that should the Debtor fail to resume and keep current the  
23 monthly payments or fail to cure the arrears as provided, Creditor shall provide written notice of the  
24 default to the Debtor and the Debtor's attorney. The Debtor will then have 15 days from the date the  
25 written notice was mailed or delivered to the Debtor and the Debtor's attorney to bring the required  
26 payments current, including payments falling due after the date of the notice.

27 IT IS FURTHER ORDERED that if Debtor fails to cure the default as outlined in the notice,  
28 then Creditor shall be entitled to submit an order terminating the automatic stay supported by a  
29 certificate of non-compliance and copy of the mailed written notice of default.

IT IS FURTHER ORDERED that upon the third default of this Stipulated Order, Creditor shall be entitled to submit an *ex parte* order terminating the automatic stay without further notice to the debtor or the debtor's attorney.

IT IS FURTHER ORDERED that the terms of this order shall be effective and bind the Debtor regardless of the terms of any subsequently filed Chapter 13 plan of reorganization in this case.

IT IS FURTHER ORDERED that Creditor may amend its proof of claim to recover the fees and costs for bringing its motion together with any accrued post-petition costs or charges not cured by the terms of this order.

/// End of Order ///

Presented by:

/s/ James K Miersma  
James K. Miersma, WSBA# 22062  
Attorney for U.S. Bank Trust, N.A., as Trustee for VOLT Asset Holdings NPL3, by Caliber Home  
Loans, Inc., f/k/a Vericrest Financial, Inc., as its attorney in fact

Approved as to form and content;  
Notice of presentation waived:

/s/ Michael E Gossler  
Michael E Gossler, WSBA # 11044  
Attorney for Debtors

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